IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.M.JOSEPH

WEDNESDAY, THE 11TH JULY 2007 / 20TH ASHADHA 1929

WP(C).No. 17646 of 2007(A)

PETITIONER:

KERALEEYA AYURVEDA SAMAJAM HOSPITAL,
REPRESENTED BY ITS SECRETARY, M.MURALEEDHARAN.

BY ADV. SRI.T.M.CHANDRAN
SRI.S.SUJITH
SRI.V.A.SASIDHARAN
SRI.JOSEPH ALBIN NEDUNTHALLY

RESPONDENTS:

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1. SHORNUR MUNICIPALITY, REPRESENTED BY
ITS SECRETARY, OFFICE OF THE SHORNUR MUNICIPALITY,
SHORNUR.

2. THE VILLAGE OFFICER,
SHORNUR.

BY GOVT. PLEADER SRI.P.K.RAVIKRISHNAN

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 11/07/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

APPENDIX

PETITIONER'S EXHIBITS

EXT.P1 TRUE COPY OF PETITION DD. 29-6-05

EXT.P2 TRUE COPY OF LETTER DTD. 26-6-06 OF FIRST RESPONDENT TO THE SECOND RESPONDENT.

/True Copy/

K. M. JOSEPH, J.

W.P.C. NO. 17646 OF 2007 A

Dated this the 11th July, 2007

JUDGMENT

Petitioner is a Hospital. Case of the petitioner, in brief, is as follows:

Petitioner Hospital was established in the year 1902 and it is famous for its treatment. There is a road which begins from Thrissur - Palakkad main road, known as "Thekke Road". From the said road, another road begins leading to the petitioner Hospital and a temple, having a width of 30 feet. The said road is owned and possessed by the first respondent Municipality. Further case of the petitioner is that petitioner has submitted Ext.P1 petition on 29.6.2005 before the first respondent complaining that the residents and shop owners reduced the width of the road by extending their houses and shops to the road which begins from "Thekke Road" and seeking to take immediate action to remove the illegal and unauthorised encroachments. There was no action. Thereafter, Ext.P2 letter

was sent by the Municipality to the second respondent Village Officer for furnishing details. Petitioner complains of inaction. Prayer sought in the Writ Petition is to direct the first respondent to take urgent steps on the basis of Ext.P1 and for a further direction to the second respondent to furnish the details requested by the first respondent in Ext.P2.

2. Heard the learned counsel for the petitioner and the learned Government Pleader. There is no appearance for the first respondent. The Writ Petition is disposed of as follows:

There will be a direction to the second respondent to furnish the details called for by first respondent vide Ext.P2 within a period of one month from the date of production of a copy of this Judgment. Thereafter, the first respondent will consider the same and take appropriate action which he is bound to take in accordance with law without undue delay.

K. M. JOSEPH, JUDGE

kbk.